

PAT. REC'D PCT/PTO 09 JUN 2006

# TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER  
4841-016U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  
To Be Assigned **10/581383**INTERNATIONAL APPLICATION NO.  
PCT/EP2004/053217INTERNATIONAL FILING DATE  
1 December 2004 (01.12.2004)PRIORITY DATE CLAIMED  
5 December 2003 (05.12.2003)TITLE OF INVENTION  
RAILWAY BEACON AND RELATED PRODUCTION METHODAPPLICANT(S) FOR DO/EO/US  
SABINA, Salvatore et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. **and Cited References (5 items)**
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **Copy of the ISR/Written Opinion; Copy of the Declaration regarding Inventive Entity; Postcard.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>U.S. APPLICATION NO. (if known, see 37 CFR 1.5)</b> To Be Assigned <b>10/581382</b>		<b>INTERNATIONAL APPLICATION NO.</b> PCT/EP2004/053217		<b>ATTORNEY'S DOCKET NUMBER</b> 4841-016	
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 200	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 400	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
<b>22</b> - 100 =	0 /50 =	0	x \$250	\$ 0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	12 - 20 =	0	x \$ 50	\$ 0	
Independent claims	2 - 3 =	0	x \$200	\$ 0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,030	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,030	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,030	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,030</u> to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. <u>07-1730</u> in the amount of \$ <u>1,030</u> to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>07-1730</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Jeffrey M. Kaden GOTTLIEB RACKMAN & REISMAN PC 270 MADISON AVENUE NEW YORK, NEW YORK 10016-0601 US					
				SIGNATURE	
				Jeffrey M. Kaden	
				NAME	
				31,268	
REGISTRATION NUMBER					

10/581383

'AP9 Rec'd PCT/PTO 02 JUN 2006'

Attorney's Docket No. 4841-016

IN THE UNITED STATES

☐ RECEIVING OFFICE (RO/US)

☒ DESIGNATED OFFICE (DO/US)

☒ ELECTED OFFICE (EO/US)

INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED  
PCT/EP2004/053217 1 December 2004 (01.12.2004) 5 December 2003 (05.12.2003)

TITLE OF THE INVENTION

RAILWAY BEACON AND RELATED PRODUCTION METHOD

APPLICANT

Salvatore SABINA et al.

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: DO/EO/US

**VERIFIED CERTIFICATION OF EXPRESS MAILING DATE  
(INTERNATIONAL APPLICATION (37 CFR 1.10(c)))**

I declare that on 2 June 2006 I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number EV 539588569US, addressed to the "Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" and having an express mail certification which I executed, the following papers:

Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C.371, duly executed; Copy of the International Application, as published (22 pages); Copy of the International Search Report along with the Written Opinion (8 pages); Information Disclosure Statement/PTO Form 1449 and cited references(5 items); Copy of the Declaration concerning Inventive Entity; Check for \$ 1,030.00 (filing fees); and Return Receipt Postcard

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Zoya V. Chernina  
(Typed or printed name of person making this verified statement)

Date: 2 June 2006

Zoya Chernina  
(Signature of person making this verified statement)

(Verified Certification of Express Mailing Date (International Application))



# STUDIO TORTA

JORIO, PRATO, BOGGIO & Partners

Via Viotti, 9 - 10121 Torino

Tel. 011.561.13.20; Fax 011.562.21.02

Videoconferenza 011.518.42.48 (6 canali ISDN H.320)

E-mail: info@studiotorta.it Internet: www.studiotorta.it

Consulenti in Proprietà Industriale - Fondato nel 1879  
TORINO MILANO BOLOGNA TREVISO RIMINI ROMA

IAP9 Rec'd PCT/PTO 02 JUN 2006

THE INTERNATIONAL BUREAU OF WIPO  
34, CHEMIN DES COLOMBETTES  
1211 GENEVE 20, SWITZERLAND

## CONSULENTI

Paolo Jorio  
Roberto Prato  
Luigi Boggio  
Rinaldo Plebani  
Corrado Modugno  
Simone Bongiovanni  
Luigi Franzolin  
Elena Cerbaro  
M. Cristina Baldini  
Giancarlo Revelli  
Mauro Eccetto  
Raffaele Borrelli

Fabio D'Angelo  
Mirko Bergadano  
Matteo Bellemo  
Matteo Maccagnan  
Daniele Cernuzzi  
Stefano Manconi Dirrigi  
Raffaella Barbuto

Francesco Fabio  
Robert Scotti (US IP Att.)  
Satsuki Takasaka

Andrea Bernotti  
Paolo Lovino  
Francesco Fiussello  
Cesare Bosman  
Stefania Berta  
Bruno Zampugno  
Simone Mangini  
Edoardo Mola

Lorenzo Nannucci  
Manuela Giannini  
Cristina Rolando  
Andrea Fiorini  
Michele Di Sciuva  
Lidia Casciano  
Alessandro Putzolu  
Giovanni Lo Cigno  
Gerardo Valeriano

## Consulenti Legali:

Claudio Costa  
Maria Teresa Saguatti  
Chiara Luzzato  
Alberto Improda  
Raffaella Arista

Torino, June 23, 2005

Our case: E-2525/04

Dear Sirs,

Re: International Appln. No. PCT/EP2004/053217 in the name of  
ANSALDO SEGNALEMENTO FERROVIARIO S.p.A. et al

With reference to the application in object, we enclose herewith a Declaration of one of the appointed inventors/applicants, i.e. Mr. Dante Sbragia, stating that he was erroneously indicated as inventor and that, for this reason, he requests to be cancelled as inventor of the application.

We also enclose herewith an English translation of the above Declaration.

In view of the above, we hereby request that the name of Mr. Dante Sbragia be cancelled from the inventor/applicant list and look forward to receiving the PCT/IB/306 form confirming the recordal of the above amendment.

We thank you in advance for your cooperation.

Yours faithfully,

  
Dr. Ing. Paolo JORIO

10121 Torino  
Via Viotti, 9  
Tel. 011.561.13.20  
Fax 011.562.21.02

20123 Milano  
Corso Magenta, 56  
Tel. 02.48.01.42.16  
Fax 02.48.01.50.82

40133 Bologna  
Via Emilia Ponente, 34  
Tel. 051.38.91.22  
Fax 051.38.90.30

31100 Treviso  
Viale Appiani, 26  
Tel. 0422.22.199  
Fax 0422.23.316

47900 Rimini  
Via Monte Titano, 136  
Tel. 0541.78.90.67  
Fax 0541.63.59.03

00187 Roma  
Via Due Macelli, 47  
Tel. 06.67.91.589  
Fax 06.67.97.747

Genova 27/Maggio/2005

Spett. ANSALDO SEGNALAMENTO FERROVIARIO s.p.a  
Via Paolo Mantovani 3, 5  
GENOVA Sampierdarena

Come da Vs. richiesta, con la presente Io sottoscritto Dante SBRAGIA nato a Sestri Levante il 21/Gennaio/1948 e residente a Genova in Via Imperia 2/49

DICHIARO QUANTO SEGUE

di essere stato erroneamente indicato, da parte Vostra, come inventore dell' invenzione costituente l' oggetto della domanda di brevetto italiana Nr. TO2003A000978 del 5 Dicembre 2003, dal titolo "BOA (BALISE) PER SEGNALAZIONE FERROVIARIA E METODO DI REALIZZAZIONE DELLA STESSA", depositata a nome della società ANSALDO SEGNALAMENTO FERROVIARIO s.p.a., della quale in quella data non ero dipendente.

Con la presente, il sottoscritto richiede pertanto che il suo nominativo venga cancellato dal verbale di deposito della domanda di brevetto sopra indicata e dalla dichiarazione di inventore delle domande estere corrispondenti.

Genova 27/Maggio/2005

In fede

Dante SBRAGIA



Genova 27 May 2005

ANSALDO SEGNALAMENTO FERROVIARIO s.p.a.  
Via Paolo Mantovani 3, 5  
GENOVA Sampierdarena

As per you request, I the undersigned Dante SBRAGIA born in Sestri Levante on 21 January 1948 and residing in Genova Via Imperia 2/49

HEREBY DECLARE WHAT FOLLOWS

I was erroneously indicated, by you, as inventor of the invention the subject of Italian patent application No. TO2003A000978 of 5 December 2003, entitled "RAILWAY BEACON AND RELATED PRODUCTION METHOD" , filed in the name of the firm ANSALDO SEGNALAMENTO FERROVIARIO s.p.a. of which at that date I was not an employee.

By this letter, I the undersigned hereby request that my name be cancelled from the filing statement of the patent application mentioned above and from the inventor's declaration of the corresponding foreign applications.

Genova 27 May 2005

In faith

Signed: Dante SBRAGIA